



State of Utah

GARY R. HERBERT
Governor

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Lieutenant Governor

12/03/2009

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF ENVIRONMENTAL
RESPONSE AND REMEDIATION

Brad T Johnson
Director

1214782 - R8 SDMS

ERRC-255-09

December 3, 2009

EA Land Investment, LLC
c/o Robert Schmidt
PEG Development
480 West 800 North
Suite 203
Orem, Utah 84057

Dear Mr. Schmidt

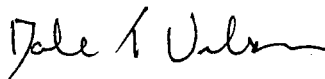
This letter is being sent to formally document the conditional approval for the *Work Plan for Intrusive Investigations, Former LaQuinta Property, 100 South 300 West, Salt Lake City, Utah* dated November 4, 2009, and submitted by ERM on behalf of EA Land Investment, LLC, pursuant to an environmental covenant recorded with the Salt Lake County Recorder on February 20, 2008, as entry number 10351643. The conditional approval was granted by the Utah Department of Environmental Quality (UDEQ) in an e-mail sent to both you and David Wilson (ERM) on November 16, 2009. The conditions for approval of the *Work Plan* as described in the e-mail are as follows:

- While approval of the submitted Work Plan approves the methods for any Intrusive Investigations at the site using geoprobe (direct-push) and hollow-stem auger, the UDEQ and Environmental Protection Agency (EPA) require additional notification prior to any future direct-push or drilling work for environmental or geotechnical purposes beyond what is described in Figure 2.
- If environmental samples are to be collected from the former LaQuinta property, the UDEQ and EPA require that the samples be analyzed for Libby amphibole asbestos, in addition to any other environmental testing that may be performed for volatile organics, semi-volatile organics, halogenated compounds, metals, etc. Prior to the collection of any environmental samples, ERM is required to submit information to the UDEQ and EPA regarding sampling methods and laboratory analytical methods to be used in the collection and analysis of the environmental samples.

- For any sampling conducted adjacent to the Pacificorps (aka Rocky Mountain Power) substation property, all soil cuttings generated from 0-20 feet below ground surface (bgs) from test holes or borings will need to be containerized and disposed of as asbestos containing material (ACM). This requirement would apply to the borings B-6 and B-7 as shown in Figure 2.
- For any test holes or borings not adjacent to the Pacificorps property, the soil cuttings generated from 0-15 feet bgs are subject to be containerized and disposed of as ACM.
- All decontamination or waste water generated at the site during the geotechnical drilling phase of work described in the Work Plan will need to be containerized and disposed as ACM. Disposal options include obtaining a permit from Salt Lake City and after filtering the waste water, discharging it to the sanitary sewer, or taking the waste water to a landfill that can accept ACM. The waste water would include any water generated during the decontamination of any drilling equipment, sampling equipment, or PPE exposed to subsurface soils inside the property boundary. No on-site disposal is currently approved since there is no significant exposed area of impacted soils to allow for the contaminated water to be thin spread on the soils. Once the cover is breached for major earth work in the future, then on-site waste water disposal would be considered acceptable provided it was spread out only on asbestos-impacted soils as discussed.
- Any workers on-site during the completion of the activities described in the Work Plan will need to have received certification under OSHA Hazwoper CFR 1910.120 to allow for wearing of respirators during site work. Workers shall also be properly informed of all on-site hazards prior to commencing work.

If you have any further questions regarding the conditional approval of the *Work Plan for Intrusive Investigations, Former LaQuinta Property*, please contact Craig Bamitz at (801) 536-0071.

Sincerely,



Dale T. Urban, P.G.
Site Assessment Section Manager
Division of Environmental Response and Remediation

DTU/CRB/eds

cc: David Wilson, P.E., P.G., ERM
Joyce Ackerman, U.S. EPA, OSC, Region 8
Gary L. Edwards, M.S., Director, Salt Lake Valley Health Department